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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, April 16, 1941, with Mayor Douglas presiding and Councilmen Albea, Baxter, Britt, Hovis, Huntley, Little, Nance, Sides, Ward and Wilkinson being present.

Absent: None.

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On motion of Councilman Huntley, seconded by Councilman Hovis, the minutes of the meeting of April 9th. were approved as read.

#### CHESTER NIXON LAUDS COUNCIL.

Chester Nixon, an "Open Sunday" advocate, appeared before the Council, stating that he came to praise and not to criticize, and thereupon proceeded to laud the Mayor and Councilmen individually and collectively upon the splendid record made by them over a period of six years for the majority, four years for others and two years for some. He expressed regret that they would not all be candidates for re-election in the approaching municipal election and his hope that those seeking re-election would be back for another two years. Mr. Nixon touched lightly on the Sunday issue, which he stated the "sports' element" in Charlotte had not let die, but the text of his talk was appraisal of the clean record made by the Mayor and Council and his well wishes to all.

#### SEIGLE STREET ASSESSMENTS OF MR. C. H. McCALL.

Mr. C. H. McCall, owner of property on Seigle Avenue, on which he attempted to get a rebate in street assessments but which rebate was denied at the last meeting of the Council, appeared at this time, asking why he had paid what he considered an excessive amount of assessments, while the adjoining property owner had received a reduction last year, but Mr. McCall was informed that the City Attorney had ruled that the City could not legally make a refund on such assessments and that his payments were made in 1935, whereas, the reduction on property adjoining him had been made recently and that the property had decreased in value to that extent since 1935. Mayor Douglas expressed regret over their inability to make this refund but stated that they were denied from doing so on the grounds of illegality.

#### EXPRESSION OF REGRET OVER THE LEAVING OF COUNCILMAN (DR.) C. S. BRITT, WHO LEAVES FOR DUTY WITH U. S. NAVY.

Councilman Wilkinson moved that the City Council extend to Dr. C. S. Britt, Councilman, a vote of thanks for his loyal service to the citizens of Charlotte and to the City Council and wish him God speed as he goes to join the National Defense. This motion seconded by Councilman Albea and unanimously carried; Mayor Douglas also expressing to Councilman Britt his appreciation for the service which he has rendered for the past two years.

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\$300.00 EXPENSE OF SENDING MR. JOHN YANDLE TO F.B.I. SCHOOL IN WASHINGTON.

On motion of Councilman Wilkinson, seconded by Councilman Barter, the sum of \$300.00 for expenses of Officer John Yandle in attending F.B.I. police school in Washington, was approved, \$180.00 of this amount to be taken from the Emergency Fund. Councilman Sides is recorded as not voting on this motion.

LEASE FOR SPUR TRACK SITE AT U. S. ARMY AIR BASE, JUNEAU.

On motion of Councilman Albea, seconded by Councilman Little and carried, the Mayor and Clerk were authorized to execute a lease, on behalf of the City of Charlotte, with the United States of America, for spur track and unloading facilities at the Air Base, this being a rectangular tract of land approximately 800 feet long adjacent to the right of way of the Southern Railway, by 350 feet wide at right angles thereto, etc., together with easement over the lands of the Municipal Airport, for the following facilities: gasoline pipe line, electric power line, telephone line, private road exclusively for the use of the United States; this lease to be approved as to form by the City Attorney.

EXTENSION OF WATER MAIN IN POINDEXTER AND SUNSET DRIVES.

On motion of Councilman Albea, seconded by Councilman Wilkinson, the request of Mr. P. C. Rodwell was granted for extension of the water main in Poindexter Drive and Sunset Drive, on which he plans to build eight houses immediately and five others later. The estimated cost of this main is \$835.00 and this request is granted on the understanding that the extension will be made when same has been placed in proper contract form.

EXTENSION OF WATER MAIN IN McDONALD AVENUE.

On motion of Councilman Sides, seconded by Councilman Albea, request of the Piedmont Paint and Supply Company for water main in McDonald Avenue, a distance of 1150 feet from the present main, was also granted; this main to serve fourteen new houses now under construction and estimated to cost \$1380.00 with estimated revenue from this line \$160.00 per year. The City Manager advised that in order to build this line it will be necessary to appropriate to this particular work \$1380.00 of the amount set up in the Water Contingent Fund for East 11th. Street, which it is believed can be done without hampering the work on East 11th. St., and the motion was based on this being done.

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NOTICE OF SUIT OF S. E. MESSNER VS. CITY OF CHARLOTTE.

The City Manager reported receipt of notice of suit of S. E. Messner against the City of Charlotte for tax assessments of certain property recorded in Book 1026, Page 142, Register of Deeds, Mecklenburg County, N. C., this complaint stating that Mr. Messner's land has been assessed for too great an amount for the years 1930-37. This was referred to the City Attorney for handling.

SPECIAL OFFICER PERMIT FOR MR. JOE SCOTT ON ELMWOOD CEMETERY PREMISES.

On motion of Councilman Hovis, seconded by Councilman Nance, Special Officer Permit was authorized to be issued to Mr. Joe Scott, an employee of Elmwood Cemetery, for use on the premises of the Cemetery.

BUDGET REPORT FOR 9-MONTHS PERIOD SUBMITTED.

A copy of the Budget Report for 9-months period, ending March 31, 1941, was submitted.

COST OF AIRPORT BOND ELECTION TO BE PAID FROM EMERGENCY FUND.

On motion of Councilman Hovis, seconded by Councilman Ward, the cost of the Airport Bond Election, which failed to carry, amounting to \$2,364.48, is to be paid from the Emergency Fund.

RESOLUTION RELEASING JAS. W. ARMSTRONG FROM RESPONSIBILITY AS COLLECTOR OF REVENUE.

On motion of Councilman Albea, seconded by Councilman Nance, the following Resolution was unanimously adopted:

RESOLUTION

WHEREAS, James W. Armstrong, former Collector of Revenue of the City of Charlotte, North Carolina, was bonded while acting in such capacity by the National Surety Corporation, and that the services of said James W. Armstrong, as Collector of Revenue, ended on July 1, 1940, and that thereafter the said office was filled by Mr. E. S. DeLaney and that Mr. E. S. DeLaney since said time has been said Collector of Revenue, and has performed all of the duties of said office and assumed all responsibility thereof;

BE IT, THEREFORE, RESOLVED by the City Council at regular session that the National Surety Corporation be, and is hereby released from responsibility on its bond as to Mr. James W. Armstrong for any acts, defaults or miscarriages of the said James W. Armstrong as Collector of Revenue, since the said James W. Armstrong ceased to be Collector of Revenue as of July 1, 1940.

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REQUEST FOR RELIEF IN CONNECTION WITH STREET ASSESSMENTS OF W. G. JARRELL ESTATE ON SOUTH GRAHAM STREET DENIED.

In connection with the request of Mr. W. L. Isenhour, presented at the last meeting, for relief in connection with street assessments against property of the W. G. Jarrell Estate, on South Graham Street, which was referred to a special committee; Councilman Wilkinson reported that the committee had gone into the matter very thoroughly with the City Manager and Collector of Revenue and that they were unable to find any justification for making any changes in the original assessment, and on motion of Councilman Wilkinson, seconded by Councilman Sides, the request was denied.

CEMETERY DEEDS.

On motion of Councilman Huntley, seconded by Councilman Sides, the following cemetery deeds were approved for issuance:

D. E. Lorry, Lot No. 104, in Section "Y", Elmwood Cemetery	\$35.00
Transfer of S $\frac{1}{2}$ Lot No. 108 Section "Q" from Heirs of George D. Beason to Miss Edith Skidmore	1.00
Perpetual care to Mrs. W. D. Clarke, Lot No. 99, Section "Y"	25.00

ANNOUNCEMENT OF COUNCILMAN L. R. SIDES NOT TO SEEK RE-ELECTION.

At the close of the meeting Councilman L. R. Sides made the following announcement:

"After much consideration, I have decided that I will not be a candidate for re-election to the Charlotte City Council.

I wish to take this opportunity to thank the citizens of this great City for their support in my behalf for the past six years. During this time I have tried to give my best efforts and foresight to the advancement of our whole City. I know there are many fine citizens who can take my place on the City Council, and then I can give my undivided attention to the music program in the City Schools.

I want to say to my fellow-Councilmen and to you, Mayor Douglas, that I have never enjoyed a fellowship with a group of men more than yours.

I want to say to the citizenship of this community that you have been loyal and courageous in the affairs of our fair City. It is my utmost desire that the citizenship on election day will vote you, Mr. Baxter, and this administration back into office. Any individual or group of citizens can search the City through and they will not find a more sincere and honest group of men. I want to extend to all of you my hope of your re-election for another term.

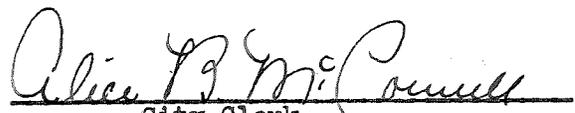
Respectfully,

L. R. Sides"

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ADJOURNMENT.

On motion of Councilman Hovis, seconded by Councilman Ward,  
the meeting then adjourned.

  
City Clerk